

**DESIGN REVIEW BOARD**

**Friday, May 7 , 2010**

**7:30 a.m.**

**AGENDA**

**Public Works Building Planning & Development Services, 3rd Floor North**

**201 North Stone Avenue**

**Tucson, Arizona**

**STUDY SESSION**

Statement of cases and distribution of materials with respect to items scheduled for regular meeting, including a general discussion of proposed revisions to the DRB's Rules and Regulations. Updates from City Attorney's Office.

**Call to order**

**Roll call of DRB members:**

Kacey Carleton (Chair)	John Anderson
Eric Barrett (Vice Chair)	Bruce Dawson
Margaret Joplin	Page Repp
Henry Tom	

**Approval of minutes from April 23, 2010**

**NEW CASES**

**DRB-10-04 ROSATI'S PIZZA/S. CUMMINGS, 1838 EAST 6<sup>TH</sup> STREET, C-1  
[DDO-10-45]**

The applicant's project is Rosati's Pizza Expansion located on the southwest corner of East 6<sup>th</sup> Street and North Campbell Avenue and is zoned "C-1" Commercial. The applicant has expanded the existing restaurant with a new outdoor dining area. The proposed expansion requires compliance with all *Land Use Code (LUC)* regulations applicable to the expansion area. The applicant is seeking zoning approval to allow a street landscape border substitution. Tucson *LUC* Sections applicable to the project include, but are not limited to Section 2.5.3 which provides the design criteria applicable to commercial development in the C-1 zone, Sections 3.7.2 and 3.7.3 which provide the landscape screening requirements and Sections 5.1.8.3 and 5.3.5.3 which provide the DDO regulations applicable to this landscape border substitution request.

**The Applicant's Design Development Option Substitution Request**

1. In lieu of providing a ten (10) foot wide street landscape border along the 6<sup>th</sup> Street frontage, the applicant proposes an equivalent landscape area and plant materials to be located in the five (5) foot right-of-way along the Campbell Avenue frontage adjacent to this property,.

**THE DESIGN REVIEW BOARD (DRB) HAS REVIEWED THE PROPOSED DESIGN DEVELOPMENT OPTION AND RECOMMENDS TO THE PLANNING & DEVELOPMENT SERVICES DIRECTOR (APPROVAL) (DENIAL) FINDING THE APPLICATION (IN COMPLIANCE) (NOT IN COMPLIANCE) WITH THE CRITERIA ESTABLISHED IN LUC SECTION 5.3.5.3A-Q (SUBJECT TO THE FOLLOWING CONDITIONS).**

**DRB-10-05 TUCSON MERCEDES BENZ/CHAPMAN TUCSON, LLC, 6350 EAST GRANT ROAD, C-2**

**[DDO-10-46]**

The applicant's project is the Tucson Mercedes Benz auto dealership at the southeast corner of East Grant Road and North Wilmot Road is zoned "C-2" Commercial. The applicant proposes to construct a new sales and service facility. The proposed facility requires full code compliance with *Land Use Code (LUC)* regulations applicable to new construction. The applicant is seeking zoning approval to allow a street landscape border substitution. Tucson *LUC* Sections applicable to the project include, but are not limited to Section 2.5.3 which provides the design criteria applicable to commercial development in the C-1 zone, Sections 3.7.2 and 3.7.3 which provide the landscape screening requirements and Sections 5.1.8.3 and 5.3.5.3 which provide the DDO regulations applicable to this landscape border substitution request.

**The Applicant's Design Development Option Substitution Requests**

The applicant proposes the following substitutions:

1. Substitute a eight (8) palm trees in lieu of eight canopy trees within the street landscape border along Grant Road
2. Substitute a six (6) palm trees\* in lieu of six (6) canopy trees within the street landscape border along Wilmot Road,
3. In lieu of a thirty (30) inch high screen along both street frontages, the applicant proposes to substitute a combination eighteen (18) inch high decorative fence and grade differential to meet the intent of the screen, all as shown on the submitted plans.

Note: The applicant proposes additional canopy trees in the vehicular use area that will be visible from the street. The total number of canopy of trees provided onsite is in excess of the minimum number required.

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**RND PRE-APPS**

The purpose of the pre-application portion of the meeting is to allow potential Rio Nuevo and Downtown Zone (RND) applicants an opportunity for non-deliberative discussion with the DRB about the project and the RND process, prior to actual submittal of the application.

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**Adjourn**

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If you have any questions concerning this DRB meeting, please contact Russlyn Wells at 837-4948.

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## **ATTACHMENT A: DDO FOR LANDSCAPE & SCREENING SUBSTITUTIONS**

LUC SECTION 5.3.5.2 The Design Review Board (DRB) shall review the request and provide the Development Services Department Director with a recommendation. Application requirements shall be established by the Development Services Department Director and shall include, but not be limited to, property ownership information, a site plan, elevations, and such other information as may be necessary to evaluate the request. (Ord. No. 9967, §5, 7/1/04); and, shall in formulation of its recommendation utilize the same criteria, as provided in Section 5.3.5 required of the DSD Director in making the decision.

### **SECTION 5.3.5.3 “DDO FINDINGS”**

The Development Services Department Director may approve a design modification, as provided by this Section, if all of the following findings are made. (Ord. No. 9967, §5, 7/1/04)

- A. The modification is not a request previously denied as a variance. (Ord. No. 9179, §1, 12/14/98)
- B. The modification is not to a special requirement or finding to determine whether the use should be allowed in the zone.
- C. The modification is not to a condition of approval for a rezoning or Special Exception Land Use application.
- D. The modification is not to a requirement of an overlay zone, such as, but not limited to, Scenic Corridor, Environmental Resource, Major Streets and Routes Setback, or Airport Environs.
- E. The modification does not create a situation where the proposed development will adversely impact adjacent properties or development.
- F. The modification does not create a situation where the proposed development substantially reduces the amount of privacy which would be enjoyed by nearby residents any more than would be available if the development was built without the modification.
- G. The modification does not create a situation where proposed development will block visibility on adjoining streets for either vehicular or pedestrian traffic.
- H. The modification provides design alternatives to better integrate the development into the design character of the immediate neighborhood.
- I. The modification does not create a situation where the development will result in an increase in the number of residential dwelling units or the square footage of nonresidential buildings greater than would occur if the development was built without the modification.

- J. The modification does not result in the deletion or waiver of an *LUC* requirement.
- K. The modification does not lower the height of a required screening device to a point where it cannot accomplish its purpose.
- L. The modification does not decrease the required area, in square footage, of landscaping.
- M. The modification does not result in either a decrease in off-street motor vehicle parking spaces of more than five (5) spaces or the provision of less than ninety (90) percent of the required parking. (Ord. No. 9138, §1, 10/5/98)
- N. The modification in off-street motor vehicle parking spaces is for the purpose of improving the site design in a manner which will further the intent of the DDO. This includes improvements such as, but not limited to, enhancement of landscaping, pedestrian facilities, or bicycle provisions beyond the requirements of the *LUC*. (Ord. No. 9967, §5, 7/1/04)
- O. The modification does not decrease the number of bicycle parking spaces by more than ten (10) percent and in no event shall the modification lower the requirement to less than two (2) spaces.
- P. The modification to the location of bicycle parking does not make access to the bicycle parking area less convenient or reduce the security of the bicycle parking area.
- Q. The modification in the number of bicycle parking spaces is for the purpose of improving the site design in a manner which will further the intent of the DDO. This includes improvements such as, but not limited to, enhancement of landscaping or pedestrian facilities beyond the requirements of the *LUC*. (Ord. No. 9967, §5, 7/1/04)

5.3.5.4 Expiration of Approval. Any DDO approval granted by the Development Services Department Director shall be null and void if building permits are not issued implementing the DDO or compliance with conditions of approval does not occur within one hundred eighty (180) days from the date of approval. One (1) extension of up to one hundred eighty (180) days may be granted by the Development Services Department Director for good cause. (Ord. No. 9967, §5, 7/1/04)